

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

NOLAN KLEIN,

Plaintiff(s),

vs.

JACKIE CRAWFORD, *et al.*,

Defendant(s).

3:05-cv-0463-RLH-RAM

ORDER

Before this Court is the Report and Recommendation of United States Magistrate Judge (#41, filed February 13, 2007), entered by the Honorable Robert A. McQuaid, regarding Defendant's Motion for Summary Judgment (#33). No objection was filed to Magistrate Judge McQuaid's Report and Recommendation of United States Magistrate Judge in accordance with Local Rule IB 3-2 of the Rules of Practice of the United States District Court for the District of Nevada. The matter was submitted for consideration.

The court has conducted a *de novo* review of the record in this case in accordance with 28 U.S.C. §636(b)(1)(B) and (C) and Local Rule IB 3-2 and determines that the Report and Recommendation of Magistrate Judge McQuaid should be accepted and adopted.

IT IS THEREFORE ORDERED that Magistrate Judge's Report and Recommendation (#41, entered February 13, 2007) is AFFIRMED and ADOPTED, Defendant's Motion for Summary Judgment is denied and granted as follows:

....

1. The Motion is DENIED as to Count I.
2. The Motion is DENIED as to the First Amendment claim in Count II.
3. The Motion is GRANTED as to the equal protection and due process claims in Count II.

Dated: March 12, 2007.



ROGER L. HUNT
Chief U.S. District Judge